

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
	§
VS.	§ Case No. 24-230
	§
TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 1

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN



September 18, 2018

Mr. Michael Cotten
1301 Bonner Drive
Killeen, TX. 76549

Dear Mr. Cotten,

On behalf of Temple College, you have been approved by the Board of Trustees on September 17, 2018, as a full-time Instructor in the Behavioral and Social Sciences II Department. We appreciate your interest in serving as a member of the full-time Faculty and wish you every success.

Please feel free to contact me should you have any questions.

Sincerely,

Glenda O. Barron, Ph. D.
President

dh

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<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 2

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

TEMPLE COLLEGE

SUMMARY OF COURSES TAUGHT AND AREAS OF RESPONSIBILITY

SUMMARY: I teach History 1301, History 1302, and History 2311 courses as scheduled, primarily dual credit classes at the Taylor campus. Make written recommendations to the Department Chairperson regarding curriculum additions, deletions, or revisions. Make recommendations regarding course content and text selection. Prepare course syllabi in subject area and to formulate stated objectives for each course. The candidate may be asked to teach courses at satellite campuses.

History 1301: A survey of the social, political, economic, cultural, and intellectual history of the United States from the pre-Columbian era to the Civil War/Reconstruction period. United States History I includes the study of pre-Columbian, colonial, revolutionary, early national, slavery and sectionalism, and the Civil War/Reconstruction eras. Themes that may be addressed in United States History I include: American settlement and diversity, American culture, religion, civil and human rights, technological change, economic change, immigration and migration, and creation of the federal government.

History 1302: A survey of the social, political, economic, cultural, and intellectual history of the United States from Civil War/Reconstruction era to the present. United States History II examines industrialization, immigration, world wars, the Great Depression, Cold War and post-Cold War eras. Themes that may be addressed in United States History II include: American culture, religion, civil and human rights, technological change, economic change, immigration and migration, urbanization and suburbanization, the expansion of the federal government, and the study of U.S. foreign policy.

History 2311: A survey of the social, political, economic, cultural, religious, and intellectual history of Europe and the Mediterranean world from human origins to the 17th century. Themes that should be addressed in Western Civilization I include the cultural legacies of Mesopotamia, Egypt, Greece, Rome, Byzantium, Islamic civilizations, and Europe through the Middle Ages, Renaissance, and Reformation.

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<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 3

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTON

RE: D/W/F rates

Jamie Arnold <jamie.arnold@templejc.edu>

Fri 2/5/2021 11:36 AM

To: Michael Cotten <michael.cotten@templejc.edu>

Michael,

That makes it very difficult, and in some cases impossible. I am just doing my best to post deadlines and reminders, but if they do not turn in assignments I cannot force them, which in some cases makes a D or F unavoidable.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

-----Original Message-----

From: Michael Cotten
Sent: Friday, February 5, 2021 11:13 AM
To: Jamie Arnold <arnoldj382@templejc.edu>
Subject: D/W/F rates

During the Spring All College Day I thought I heard someone mention the college wanting to move the goal for the D/W/F rate to 15%. How can I keep my DWF rate below 15% when I cannot get students to turn in assignments?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Chairman of the SICC committee
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

Sent from my iPhone

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Re: Faculty Evaluation signed forms

Michael Cotten <michael.cotten@templejc.edu>

Tue 4/13/2021 8:11 AM

To: Jamie Arnold <jamie.arnold@templejc.edu>

You are very welcome. It is beginning to seem like holding students accountable and having high standards is less popular and less supported than it use to be. The pressures for grade inflation and lower work expectations that result from the failings of public schools seems to be creeping into the college levels.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Chairman of the SICC committee
Taylor Campus
Temple College

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"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

Sent from my iPhone

On Apr 13, 2021, at 07:58, Jamie Arnold <arnoldj382@templejc.edu> wrote:

Thank you for being someone who embraces high standards. It is best for the students and ultimately the college.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten
Sent: Monday, April 12, 2021 4:54 PM
To: Jamie Arnold <arnoldj382@templejc.edu>
Subject: Re: Faculty Evaluation signed forms

Thank you for listening to me vent and for being a supportive department chair when it comes to defending high standards. Those two things mean more to me than you know.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Chairman of the SICC committee
Taylor Campus
Temple College

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"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."
Booker T. Washington

Sent from my iPhone

On Apr 12, 2021, at 16:39, Jamie Arnold <arnoldj382@templejc.edu> wrote:

Hi Michael,

Thank you so much! I really appreciate it.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten

Sent: Monday, April 12, 2021 4:10 PM
To: Jamie Arnold <arnoldj382@templejc.edu>; Kaitlin Dutton <duttonk226@templejc.edu>
Subject: Faculty Evaluation signed forms

Here you go. Thank you very much.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Social Sciences
Taylor Campus
Temple College

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Re: Plagiarism Appeal

Jamie Arnold <jamie.arnold@templejc.edu>

Wed 12/4/2019 7:34 AM

To: Michael Cotten <michael.cotten@templejc.edu>

Hi Michael,

You can have him contact me if he wants to appeal your decision. Thank you for letting me know.

Jamie Arnold, Ph.D.
Associate Professor
Social Sciences Department Chair
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Cotten Michael <cottenm279@templejc.edu>

Sent: Tuesday, December 3, 2019 6:42 PM

To: Arnold Dr. Jamie <arnoldj382@templejc.edu>

Subject: Plagiarism Appeal

One of my students in my T/TH 8:00am class (████████) (in D2L it is section WEB1) wants to appeal my decision to give him a zero on his book review due to plagiarism. In his emails with me he has admitted to using "borrowed" materials without citing them but feels getting a zero is unfair. What do I need to do in regards to his request to appeal my decision?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Social Sciences
Taylor Campus
Temple College

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Re: Plagiarism appeal

Michael Cotten <michael.cotten@templejc.edu>

Mon 3/30/2020 12:41 PM

To: Jamie Arnold <jamie.arnold@templejc.edu>

This is her most recent claim

"Mr. Cotten,

I also take these accusations very seriously. You're attacking my integrity and my character, which is why I am responding as such.

Upon my reflection, I'm just going to leave it. I have no desire to fight with a policy that relies heavily on a program algorithm to determine whether or not some is plagiarizing. I clicked the portion where it said I copied 51% of that portion (numbers and all) and I still don't know where it came from.

I know that I do my own work. I write my own sentences and while in another class, I have relied heavily on charts and numbering to lessen confusion and get to the point.

Going forward. I noticed that my essay four came back with a 56% or something like that for Turnit in. As I know I didn't plagiarize that... I am going through it again and tweaking it. Is that still an option or is only one submission allowed?"

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Social Sciences
Taylor Campus
Temple College

From: Jamie Arnold <arnoldj382@templejc.edu>

Sent: Monday, March 30, 2020 12:39 PM

To: Michael Cotten <cottenm279@templejc.edu>

Subject: Re: Plagiarism appeal

Hi Michael,

Yes, and she is smart enough to know this.

Jamie Arnold, Ph.D.
Social Sciences I Department Chair
Psychology Professor
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <cottenm279@templejc.edu>

Sent: Monday, March 30, 2020 12:37 PM

To: Jamie Arnold <arnoldj382@templejc.edu>

Subject: Re: Plagiarism appeal

I can assure you my claim is based on indisputable evidence.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Social Sciences
Taylor Campus
Temple College

From: Michael Cotten <cottenm279@templejc.edu>
Sent: Monday, March 30, 2020 12:35 PM
To: Jamie Arnold <arnoldj382@templejc.edu>
Subject: Re: Plagiarism appeal

She is now claiming she will take the high road and not appeal. Of course she is claiming that.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Social Sciences
Taylor Campus
Temple College

From: Jamie Arnold <arnoldj382@templejc.edu>
Sent: Monday, March 30, 2020 12:33 PM
To: Michael Cotten <cottenm279@templejc.edu>
Subject: Re: Plagiarism appeal

Hi Michael,

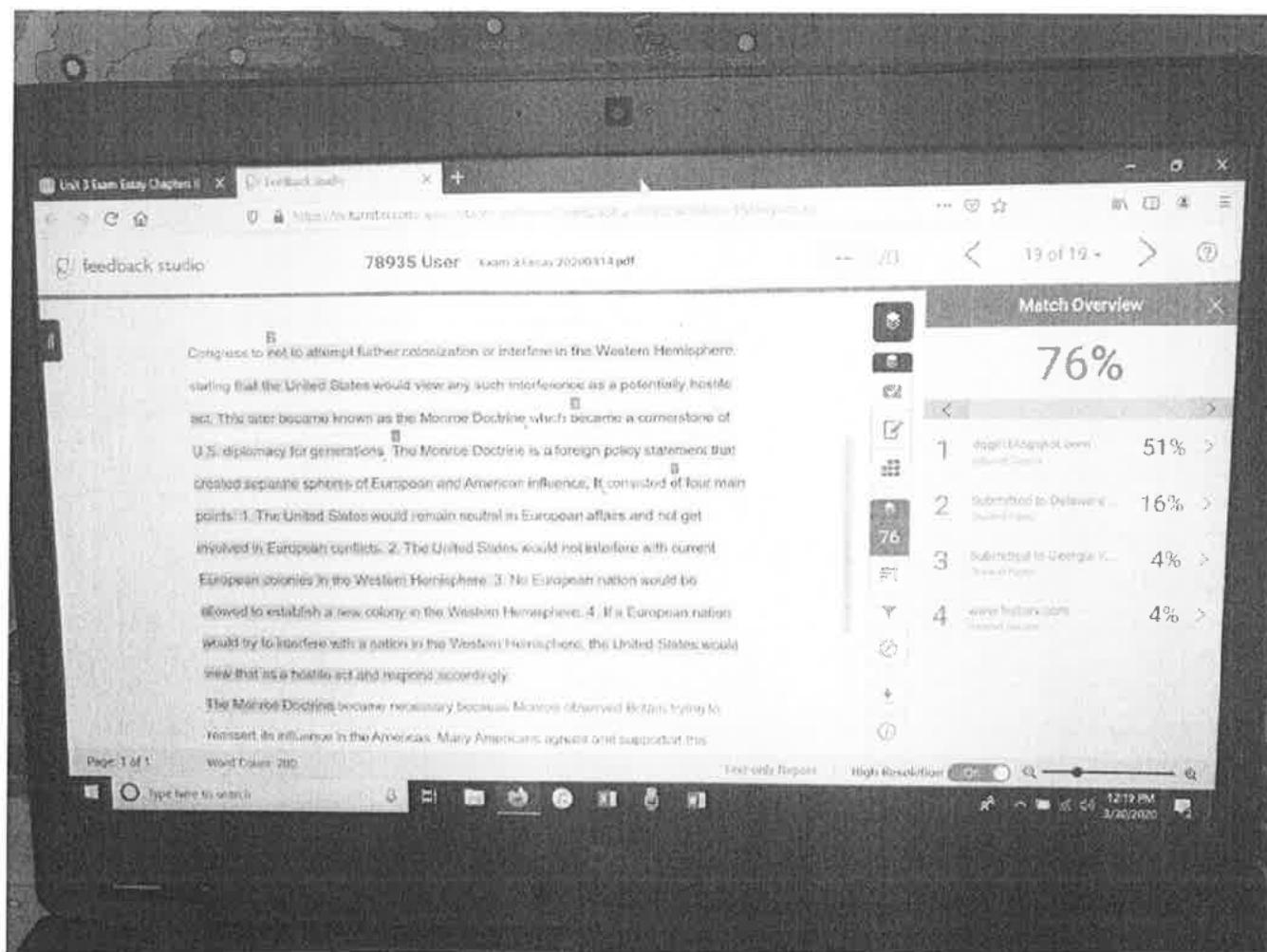
Thank you for sending it. The student is in one of my classes, and I know her well. I will let you know if she contacts me.

Thanks,
Jamie

Jamie Arnold, Ph.D.
Social Sciences I Department Chair
Psychology Professor
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <cottenm279@templejc.edu>
Sent: Monday, March 30, 2020 12:24 PM
To: Jamie Arnold <arnoldj382@templejc.edu>
Subject: Plagiarism appeal

I have a student who will most likely email you shortly in an attempt to appeal my plagiarism decision. Here is a screen shot of the report. The student is in my online 1301 class and is in my INT1 shell.



Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Chairman of the SICC committee
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.K. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

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RE: Turnitin report

Jamie Arnold <jamie.arnold@templejc.edu>

Fri 11/6/2020 3:42 PM

To: Michael Cotten <michael.cotten@templejc.edu>

Michael,

I just read the policy again and it is somewhat vague about the time parameters. You will want to inform her of your decision in writing as soon as possible including the last day for her to withdraw. If she is still in the class when it is time to submit final grades, then she would receive an F.

Thanks,

Jamie

From: Michael Cotten

Sent: Friday, November 6, 2020 3:35 PM

To: Jamie Arnold <arnoldj382@templejc.edu>

Subject: Re: Turnitin report

If I give her the option to withdraw or receive the F how long can I hold off on giving the F and stay within the rules of the college plagiarism policy.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Chairman of the SICC committee
Taylor Campus
Temple College

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Booker T. Washington

Sent from my iPhone

On Nov 6, 2020, at 15:34, Jamie Arnold <arnoldj382@templejc.edu> wrote:

Hi Michael,

John responded but is leaving it up to you. He said you could give a 0 for the assignment, an F for the course, or give her the option of withdrawing from the class. I will support you on whatever you decide.

Thanks,
Jamie

From: Michael Cotten
Sent: Friday, November 6, 2020 3:14 PM
To: Jamie Arnold <arnoldj382@templejc.edu>
Subject: Turnitin report

https://ev.turnitin.com/app/carta/en_us/?o=1435506394&lang=en_us&s=1&u=1104595946&BDS=1

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Social Sciences
Taylor Campus
Temple College

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Re: Plagiarism

Michael Cotten <michael.cotten@templejc.edu>

Wed 1/20/2021 3:57 PM

To: Jamie Arnold <jamie.arnold@templejc.edu>

Thank you. I'll let you know if he replies to my email or replaces the plagiarized essay or discussion posts.

If he doesn't we will have to have a chat about it on Feb 1st.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Chairman of the SICC committee
Taylor Campus
Temple College

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"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

Sent from my iPhone

> On Jan 20, 2021, at 15:52, Jamie Arnold <arnoldj382@templejc.edu> wrote:

>

> Hi Michael,

>

> I don't think it is ever too early to address plagiarism, but you may want to see how he responds since you have given him an opportunity to resubmit. If he does nothing and has plagiarized twice the first week of class, you might give zeros for those assignments and then explain that the next offense will result in a an F. This is just a suggestion, and you do have some discretion on how you respond.

>

> Sincerely,

>

> Jamie Arnold, PhD, LPC

> Social Sciences I Department Chair

> Professor of Psychology

> 2600 South First Street

> Temple, Texas 76504-7435

> (254) 298-8402

>
> -----Original Message-----
> From: Michael Cotten
> Sent: Wednesday, January 20, 2021 3:20 PM
> To: Jamie Arnold <arnoldj382@templejc.edu>
> Subject: Plagiarism
>
> So I have a student who now on the second day of class submitted a plagiarized essay and plagiarized discussion posts. When I noticed the essay was plagiarized I emailed him and gave him the opportunity to retract and resubmit.
> Assuming he doesn't the discussion post is due first and the essay would be the second offense. Is a second offense worthy of the drop voluntarily or I'll give you an F, or is it too soon in the semester to purge cheats?
>
> Best regards,
>
>
>
> Michael W. Cotten, M.A.
> Assistant Professor of History
> Department of Social Sciences
> Chairman of the SICC committee
> Taylor Campus
> Temple College
>
> "The urge to save humanity is almost always a false front for the urge to rule" H.K. Mencken
>
> "A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."
> Booker T. Washington
>
> Sent from my iPhone
> ***Confidentiality Notice: This electronic mail transmission, including any accompanying attachments, is intended solely for its authorized recipient(s). If you are not the intended recipient, please be aware that any disclosure, copying, distribution or use of the contents of this message is strictly prohibited. If you received this transmission in error, immediately contact the sender and delete the contents and attachments of this message***
>

Re: Student placed on AS

Michael Cotten <michael.cotten@templejc.edu>

Wed 5/19/2021 1:41 PM

To: Adrian Sora <adrian.sora@templejc.edu>

Thank you. I know RH will appreciate the chance to continue.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Chairman of the SICC committee
Taylor Campus
Temple College

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Booker T. Washington

Sent from my iPhone

> On May 18, 2021, at 17:13, Michael Cotten <cottenm279@templejc.edu> wrote:

>

> Good. I'm glad.

>

> Best regards,

>

>

>

> Michael W. Cotten, M.A.

> Assistant Professor of History

> Department of Social Sciences

> Chairman of the SICC committee

> Taylor Campus

> Temple College

>

> "The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

>

> "A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

> Booker T. Washington

>
> Sent from my iPhone
>
>> On May 18, 2021, at 17:09, Adrian Sora <soraa@templejc.edu> wrote:
>>
>> It does. Thanks Michael.
>>
>> -----Original Message-----
>> From: Michael Cotten <cottenm279@templejc.edu>
>> Sent: Tuesday, May 18, 2021 12:15 PM
>> To: Adrian Sora <soraa@templejc.edu>
>> Subject: Student placed on AS
>>
>> Good morning,
>>
>> I'm not sure if my thoughts can be of any benefit and if they can't due to the circumstances I certainly understand.
>>
>> One of my students ([REDACTED]) says she has been placed on Academic Suspension and plans to appeal. I cannot speak as to her work level and integrity in other classes but I can say that in my class despite the fact that she struggled she never gave up nor got negative.
>>
>> As I said I don't know if my speaking on her behalf can have any impact on her status but if it can I would certainly speak in support of her continuing as a TC student.
>>
>> Best regards,
>>
>>
>>
>> Michael W. Cotten, M.A.
>> Assistant Professor of History
>> Department of Social Sciences
>> Chairman of the SICC committee
>> Taylor Campus
>> Temple College
>>
>> "The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken
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>> "A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."
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>> Sent from my iPhone
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>>

Re: Dropping a student

Michael Cotten <michael.cotten@templejc.edu>

Mon 8/22/2022 10:24 AM

To: Jamie Arnold <jamie.arnold@templejc.edu>

Thank you!

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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Booker T. Washington

> On Aug 22, 2022, at 10:14, Jamie Arnold <jamie.arnold@templejc.edu> wrote:

>

> Michael,

>

> If you have this information in your syllabus, and the student did not do an assignment by the deadline, then technically you can drop them. My understanding is just typing their name does not protect them, but as the instructor you have discretion.

>

> Sincerely,

>

> Jamie Arnold, PhD, LPC

> Social Sciences I Department Chair

> Professor of Psychology

> Temple College

> 2600 South First Street

> Temple, Texas 76504-7435

> (254) 298-8402

>

> -----Original Message-----

> From: Michael Cotten <michael.cotten@templejc.edu>

> Sent: Monday, August 22, 2022 8:12 AM

> To: Jamie Arnold <jamie.arnold@templejc.edu>

> Subject: Dropping a student

>
> I know that today we drop students who had no contact with us, but if we have in our syllabus that
an assignment must be done by 11:59pm last night or they will be dropped from class and a student
does not do it (they only submitted their name) and they did not do any of the assignment that was
also due last night is that grounds for dropping them from class? Or does typing their name but not
doing what they were supposed to protect them from being dropped? This is an online 8 weeks class.
>
> Best regards,
>
>
>
>
> Michael W. Cotten, M.A.
> Assistant Professor of History
> Department of Social Sciences
> Taylor Campus
> Temple College
>
> "The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken
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strictly prohibited. If you received this transmission in error, immediately contact the sender and
delete the contents and attachments of this message***
>

Re: Taylor ISD Dual Credit students

Michael Cotten <michael.cotten@templejc.edu>

Mon 10/3/2022 9:27 AM

To: Billie Logiudice <Billie.Logiudice@templejc.edu>

I just wanted to let you know that [REDACTED] and [REDACTED] were absent from class for the third time today and did not turn in their assignments that were due last night. They have an "F" in class and can no longer make a "B" or better. If they are absent for a fourth time I will put in a drop request.

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" - H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Billie Logiudice <Billie.Logiudice@templejc.edu>
Sent: Wednesday, September 28, 2022 6:23 PM
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: Re: Taylor ISD Dual Credit students

I'm only on their campus on Tuesday and Thursday so I have not talked to them. I forwarded your message to Christy Hortenstine, their college and career counselor at Taylor HS. I will follow up tomorrow.

Get [Outlook for iOS](#)

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Wednesday, September 28, 2022 3:36:21 PM
To: Billie Logiudice <Billie.Logiudice@templejc.edu>
Subject: Re: Taylor ISD Dual Credit students

Did you get any replies from any of them? One didn't show up today making absence #3. I emailed them today and told them Monday will be the 4th and I will put in for a drop request. I received no reply.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

On Sep 27, 2022, at 16:56, Michael Cotten <michael.cotten@templejc.edu> wrote:

The best advice I can give them is to do what all students are supposed to do: come to class (because a 4th absence will get them dropped) and to turn in their assignments.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

On Sep 27, 2022, at 16:54, Billie Logiudice <Billie.Logiudice@templejc.edu> wrote:

Thank you for the names.
At this point are there any options for them that I can share?

[Get Outlook for iOS](#)

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Tuesday, September 27, 2022 9:21:54 AM
To: Billie Logiudice <Billie.Logiudice@templejc.edu>
Subject: Re: Taylor ISD Dual Credit students

The following Taylor ISD dual credit students are currently failing class due to numerous missing assignments:



Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" - H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Billie Logiudice <Billie.Logiudice@templejc.edu>
Sent: Tuesday, September 27, 2022 9:00 AM
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: Re: Taylor ISD Dual Credit students

😊 by name would be great!

Get [Outlook for iOS](#)

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Tuesday, September 27, 2022 7:49:00 AM
To: Billie Logiudice <Billie.Logiudice@templejc.edu>
Subject: Taylor ISD Dual Credit students

I have several Taylor ISD students who didn't turn in their assignments this past weekend and are currently failing class. Would you rather have the list of students who need a wake up call by name or by Temple College student number?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

“The urge to save humanity is almost always a false front for the urge to rule” H.L. Mencken

“A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority.”

Booker T. Washington

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
	§
VS.	§ Case No. 24-230
	§
TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 4

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
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San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

[External Sender]Faculty Evaluation

Jamie Arnold <jamiearnold248@gmail.com>

Mon 4/12/2021 3:48 PM

To: Michael Cotten <michael.cotten@templejc.edu>

3 attachments (103 KB)

Cotten Evaluation Form 20-21.doc; Cotten LA Required Submission Form 2021-2022.doc; Cotten TC Evaluation Tool HR 2 25 14 (1).docx;

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Michael,

I am attaching your annual Faculty Evaluation. Thank you so much for all of your hard work and flexibility this year. You did a great job and are very much appreciated.

I just need you to print, sign, and scan the signature page on the evaluation form and the HR evaluation tool. You can also sign and return the whole document, whatever is easiest. Please also copy Kaiti so that she can forward the signed documents to HR.

If you would like to schedule a phone or zoom conference, please let me know. Have a wonderful week.

Sincerely,

Jamie

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
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TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 5

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

Liberal Arts Division
Distance Education Instructor Evaluation Form
2020-2021

Instructor: Michael Cotten

Date: March 2, 2021 **Time:** 12:21 pm

Course/Section: HIST 1301-6001 FA20 **Students Enrolled:** 27

Section I: D2L Components Being Used:

Homepage News: X Content: X

Discussion Board: X Quizzes:

Gradebook: X Dropbox: X

Attendance: _____ External Components: X

Others: _____

Section II: Instructional Techniques Being Used:

Lecture: X Homework: X

 Audio X

 Video

 Text X

Class Discussion Board: X

Small Group Discussion Board:

A/V--Films: X

Handouts: X

PowerPoints: X

Group Assignments _____

Section III: Organization/Classroom Management—Student/Instructor Communication

Rating Scale:

0=not applicable 1=Needs improvement 2=Satisfactory 3=Good 4=Outstanding

1. Course materials are organized for ease of understanding.

0 1 2 3 4

2. Course materials include current information.

0 1 2 3 4

3. Instructor establishes instructor-student rapport. (*difficult to assess online*)

0 1 2 3 4

4. Instructor communicates (i.e. office hours, chat, e-mail). Instructors may be asked to submit e-mails and/or external communication examples.

0 1 2 3 4

5. Instructor communicates and follows Temple College policies (i.e. Attendance, Disruptive Behavior, Academic Integrity)

0 1 2 3 4

Comments: Temple College policies were well-articulated in course syllabus and course was logically organized with a weekly agenda and important dates to remember. Regular office hours were noted under Content.

Section IV: Instructional Strategies and Techniques

Rating Scale:

0=not applicable 1=Needs improvement 2=Satisfactory 3=Good 4=Outstanding

1. Course appears to be well-organized in D2L.

0	1	2	3	4
---	---	---	---	---

2. Course objectives are clearly stated.

0	1	2	3	4
---	---	---	---	---

3. Course is designed to facilitate active learning.

0	1	2	3	4
---	---	---	---	---

4. Lectures and assignments indicate some independence from the textbook.

0	1	2	3	4
---	---	---	---	---

5. Material presentation follows a logical pattern.

0	1	2	3	4
---	---	---	---	---

6. Course provides an overall rich learning experience.

0	1	2	3	4
---	---	---	---	---

Comments: Professor Cotten made good use of a variety of resources, including audio lectures, PowerPoints, and film reviews. He also included an optional Electoral College assignment.

Section V: Observation Summary:

This course was very well-organized with reading, PowerPoints, audio lectures, and clear instructions and expectations for assignments. The syllabus was easy to understand with expectations regarding attendance and academic integrity. This course was logical and transparent, with many opportunities to demonstrate mastery of the Foundational Component Areas through the English Bill of Rights, the Navigation Act of 1660, and the Declaration of Independence, to name a few.

Section VI: Comments:

Professor Cotten did a good job teaching US History I to dual credit students and is a passionate, committed instructor. I really appreciated the different modalities he used, including audio lectures, PowerPoints, films, and online discussions. He also posted very useful information for student success, including a plagiarism checker flow chart on the course home page. He has exceptionally high standards for students which will serve them well in the future.

Observed by: *Jamie Arnold*

Department Chair Signature

I acknowledge receipt of a copy of this report on the date indicated. Please return signed copy to the department chair.

Michael Cotten

Instructor Signature

April 12, 2021

Date

Instructor Comments:

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
	§
VS.	§ Case No. 24-230
	§
TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 6

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTON

Liberal Arts Division
Distance Education Instructor Evaluation Form
2021-2022

Instructor: Michael Cotten

Date: February 2, 2021 **Time:** 1:41 pm

Course/Section: HIST 1301-9103 FA21 **Students Enrolled:** 23

Section I: D2L Components Being Used:

Homepage News: X	Content: X
Discussion Board: X	Quizzes:
Gradebook: X	Dropbox: X
Attendance: _____	External Components: X
Others: _____	*****

Section II: Instructional Techniques Being Used:

Lecture: X	Homework: X
Audio X	
Video	
Text X	

Class Discussion Board: X	Small Group Discussion Board:
A/V--Films: X	Handouts: X
PowerPoints: X	Group Assignments _____

Section III: Organization/Classroom Management—Student/Instructor Communication
Rating Scale:

0=not applicable 1=Needs improvement 2=Satisfactory 3=Good 4=Outstanding

1. Course materials are organized for ease of understanding.

0	1	2	3	4
---	---	---	---	---

2. Course materials include current information.

0	1	2	3	4
---	---	---	---	---

3. Instructor establishes instructor-student rapport.

0	1	2	3	4
---	---	---	---	---

4. Instructor communicates (i.e. office hours, chat, e-mail). Instructors may be asked to submit e-mails and/or external communication examples.

0	1	2	3	4
---	---	---	---	---

5. Instructor communicates and follows Temple College policies (i.e. Attendance, Disruptive Behavior, Academic Integrity)

0	1	2	3	4
---	---	---	---	---

Comments: Class was very organized with current information.

Section IV: Instructional Strategies and Techniques

Rating Scale:

0=not applicable 1=Needs improvement 2=Satisfactory 3=Good 4=Outstanding

1. Course appears to be well-organized in D2L.

0	1	2	3	4
---	---	---	---	---

2. Course objectives are clearly stated.

0	1	2	3	4
---	---	---	---	---

3. Course is designed to facilitate active learning.

0	1	2	3	4
---	---	---	---	---

4. Lectures and assignments indicate some independence from the textbook.

0	1	2	3	4
---	---	---	---	---

5. Material presentation follows a logical pattern.

0	1	2	3	4
---	---	---	---	---

6. Course provides an overall rich learning experience.

0	1	2	3	4
---	---	---	---	---

Comments: Professor Cotten's class was organized into chapters with an outstanding syllabus conveying important information. He had helpful resources such as audio lectures, film reviews, and Important Dates to Remember. It appears structured and very straight forward for the students in the class.

Section V: Observation Summary:

This course was systematic with a variety of modalities to facilitate student learning, including chapter readings, PowerPoints, and audio lectures. Professor Cotten was very clear with his expectations for the course. There were many opportunities for students to demonstrate mastery of such concepts as The Declaration of Independence, The Hartford Convention, Andrew Jackson's Farewell Address, and the US Constitution.

Section VI: Comments:

Professor Cotten did a good job teaching US History. He used a variety of modalities and posted useful information for student engagement and success, including a plagiarism checker flow chart on the course home page. He has very high standards, is always receptive to constructive feedback, and is committed to his role as an educator of History.

Observed by: *Jamie Arnold*

Department Chair Signature

I acknowledge receipt of a copy of this report on the date indicated. Please return signed copy to the department chair.

Michael Cotten

Instructor Signature

April 14, 2022

Date

Instructor Comments:

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
	§
VS.	§ Case No. 24-230
	§
TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 7

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

TENURE

Honoring faculty members by awarding tenure recognizes that academic competence and commitment to the College's mission and purpose have been demonstrated by the faculty member throughout the probationary period. Tenure assures experienced full-time faculty members that they may expect to continue in their academic positions unless proper cause for dismissal is demonstrated as outlined under the Discipline, Suspension, and Discharge policy. The institution shall provide faculty members a written contract stating the terms of employment, including special conditions, responsibilities, and any special prerequisites. The contract shall cover such items as salary, tenure provision, full-time or part-time employment, and the inclusive dates of the term of service. The College shall likewise notify faculty, in writing, when they attain tenure.

1. *Pre-tenure status*

- a. Beginning with appointment to the rank of full-time/tenure-track faculty member, the pre-tenure period for a faculty member shall be ten (10) long consecutive semesters of full-time service (fall and spring semesters) at Temple College.
(Note: Breaks in service for extenuating circumstances such as health issues will be handled on a case-by-case basis.)
- b. Full-time faculty members should seek guidance from their respective department chair for any assistance needed during the tenure probationary period.
- c. Full-time faculty members who have satisfied the pre-tenure period of ten (10) long consecutive semesters of full-time service at Temple College will be considered for tenure by the Board of Trustees.
- d. In some instances, it may be necessary to extend the pre-tenure period for two (2) long semesters. The President will notify the faculty member in writing by the end of the 9th long semester of service that their pre-tenure period will be extended.
- e. Faculty members who do not apply for tenure by the deadlines specified below or who do not meet the terms of the extended pre-tenure period will be given a notice of non-renewal of contract. (Faculty members in these cases have not met the conditions of their tenure track contract.)
- f. A notice of nonrenewal of contract of a non-tenured faculty member shall be given, in writing, by the President no later than February 1, if the contract expires at the end of that academic year; or if a one-year appointment terminates during an academic year, at least three months in advance of termination.

2. *Procedure for Tenure Approval*

The faculty member will submit their formal application for tenure in the first two weeks of the 9th long semester of service. The application process will include:

- a. *Completion and submission of the Application for Tenure form.

Board Approval Date: November 19, 2018

Effective Date: November 20, 2018

Final Revision Date: October 11, 2018

Policy Manual Review Committee – October 11, 2018

- b. Submission of a Teaching Portfolio (electronic or hard copy) which should include *at a minimum*:
 - i. ***Philosophy:** The faculty member's personal philosophy of teaching.
 - ii. ***Documentation of Teaching:**
 - 1. *A summary of courses taught with a description of responsibilities
 - 2. *Examples of First Day Handouts/ Course Outlines/Syllabi
 - 3. *Examples of Assignments, Visual Aids (PowerPoint slides), etc.
 - 4. *Examples of Evaluation of Learning (quizzes, exams, etc.)
 - 5. Examples of Written/Electronic Feedback to learners
 - iii. ***Measures of Teaching Effectiveness**
 - 1. *Summary of learner evaluations of teaching
 - 2. *Annual departmental evaluations
 - 3. Teaching observations
 - 4. Learner aggregate scores on exams, standardized testing, etc.
 - iv. ***Activities to Improve Teaching:**
 - 1. Improvement plan with goals and activities to reach said goals
 - 2. New activities or methods of teaching developed, utilized, or implemented
 - 3. *Professional Development activities
 - v. ***Contributions to the Institution/Community:**
 - 1. *Service on Department, Division, and/ or College committees
 - 2. Service on Faculty Council committees
 - 3. Service to the community
 - vi. **Professional Activities:**
 - 1. Professional Memberships
 - 2. Presentations / Performances
 - 3. Publications
 - 4. Research
 - 5. Grants
 - vii. **Honors and Awards**

NOTE: (Required areas are denoted with a “”. Other areas may be included for additional information. Information should reflect the faculty member's contributions to the institution.)*

3. Procedure for Granting Tenure

- a. The application and portfolio will be submitted to the faculty member's department chair within the first two weeks of the 9th long semester of service.
- b. The department chair will have thirty (30) calendar days to review the materials and make a recommendation regarding tenure approval to the division director.

Board Approval Date: November 19, 2018

Effective Date: November 20, 2018

Final Revision Date: October 11, 2018

Policy Manual Review Committee – October 11, 2018

- c. The division director will have thirty (30) calendar days to review the materials and make a recommendation regarding tenure approval to the Vice President, Academic Affairs (VPA).
- d. The Vice President, Academic Affairs will have thirty (30) calendar days to review the materials and make a recommendation regarding tenure approval to the President.
- e. By the end of the 9th long semester the faculty member shall be notified that their application for tenure has been accepted for consideration by the President or if their pre-tenure period has been extended.
- f. The President will make a recommendation regarding tenure to the Board of Trustees.
- g. Tenure can only be granted by official action of the Board of Trustees.
- h. The President's Office shall invite the faculty member to the Board of Trustees meeting at which official action will occur.

4. *Procedure for Granting Tenure (Pre-Tenure Extended)*

- a. The re-application and portfolio will be submitted to the faculty member's department chair in the first two weeks of the 11th long semester of service. The application process follows the same steps as outlined in step 2 above.
- b. The department chair will have thirty (30) calendar days to review the materials and make a recommendation regarding tenure approval to the division director.
- c. The division director will have thirty (30) calendar days to review the materials and make a recommendation regarding tenure approval to the Vice President, Academic Affairs.
- d. The Vice President, Academic Affairs will have thirty (30) calendar days to review the materials and make a recommendation regarding tenure approval to the President.
- e. By the end of the 11th long semester the faculty member shall be notified that their application for tenure has been accepted for consideration by the President.
- f. The President will make a recommendation regarding tenure to the Board of Trustees.
- g. Tenure can only be granted by official action of the Board of Trustees.
- h. The President's Office shall invite the faculty member to the Board of Trustees meeting at which official action will occur.

5. *Retaining Tenure*

- a. In the event that a tenured faculty member becomes classified through instructional reorganization as part of the administrative staff, he/she shall have the right to retain his/her faculty status so long as his/her job duties as a member of the administrative staff are consistent with those he/she performed as a tenured faculty member.
- b. In the event that a tenured faculty member assumes an administrative position with new and different job duties from those previously done on the

teaching faculty and later returns to the teaching faculty, he/she shall assume his/her previous status only if he/she has maintained a minimum teaching load of six work load equated hours per year in addition to his/her administrative duties.

- c. In the event that a tenured faculty member is granted a non-compensated leave of absence by the Board of Trustees, he/she shall retain tenured status when he/she returns to the teaching faculty. However, the period of non-compensated leave will not be counted toward salary increments based on years with the College.

Pre- and Post- Tenure Review

The purpose of pre- and post-tenure review is to determine levels of performance efficiently, equitably, and in conformity with pre- and post-tenure rights. The Pre- and Post-Tenure Review Policy designates that all faculty members will receive an annual review.

The procedures include a teaching portfolio which contains *at a minimum* the annual written evaluation, a summary of learners' evaluations of teaching, and the faculty member's contributions to established teaching criteria for the department.

Department chairs will conduct, sign, and submit reviews for each faculty member every year. The faculty member will also sign the review. The reviews will be sent to the Division Director for consideration and, if needed, recommendation.

Each division director will then submit the reviews to the VPAA for final evaluation. All completed reviews will be stored in the Human Resources office. Teaching portfolios will be kept by the faculty member.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
	§
VS.	§ Case No. 24-230
	§
TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 8

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
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329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTON



May 1, 2022

Dr. Jamie Arnold
Social Sciences I
Department Chair

Dr. Arnold,

Thank you very much for the opportunity to apply for tenure at Temple College. The past four years at Temple College have been a wonderful period of professional growth, development, and an honor. I have sincerely enjoyed working with the students at Temple College, and I appreciate all the collaboration I have had with my co-workers and supervisors.

Please accept the documentation in this folder as my hard copy tenure portfolio. Thank you for this opportunity to apply for tenure at Temple College. I look forward to many more years of public service here at Temple College.

Sincerely,

Michael Cotten

Michael Wayne Cotten, M.A.
Assistant Professor of History
EWCHEC-Taylor/EWCHEC-Hutto
254) 298-8961

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
	§
VS.	§ Case No. 24-230
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TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 9

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

Re: Tenure Packet

Michael Cotten <michael.cotten@templejc.edu>

Tue 8/30/2022 10:05 AM

To: Jamie Arnold <jamie.arnold@templejc.edu>

Thank you so much for letting me know about my tenure packet! I am nervous about that process. Thank you also for updating me on the travel expense I'll try to not pester Kaiti too much.

Yes, I am back and feeling much better but I still get tired quicker than normal. I cannot imagine how horrible it would have been without the vaccine.

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" - H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Jamie Arnold <jamie.arnold@templejc.edu>
Sent: Tuesday, August 30, 2022 10:02 AM
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: Tenure Packet

Hi Michael,

I hope you are feeling better. I wanted to let you know that I signed to approve your tenure packet and gave it to John today. I checked with Kaiti about your travel request and she said she is still working on it.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

***Confidentiality Notice: This electronic mail transmission, including any accompanying attachments, is intended solely for its authorized recipient(s). If you are not the intended recipient,

please be aware that any disclosure, copying, distribution or use of the contents of this message is strictly prohibited. If you received this transmission in error, immediately contact the sender and delete the contents and attachments of this message***

Re: Tenure

Michael Cotten <michael.cotten@templejc.edu>

Thu 9/8/2022 2:28 PM

To: Jamie Arnold <jamie.arnold@templejc.edu>

I'm probably being excessively anxious.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

> On Sep 8, 2022, at 13:10, Jamie Arnold <jamie.arnold@templejc.edu> wrote:

>

> I don't recall being updated, but I will let you know if I hear anything. John should have your packet at the moment.

>

> Sincerely,

>

> Jamie Arnold, PhD, LPC

> Social Sciences I Department Chair

> Professor of Psychology

> Temple College

> 2600 South First Street

> Temple, Texas 76504-7435

> (254) 298-8402

>

> -----Original Message-----

> From: Michael Cotten <michael.cotten@templejc.edu>

> Sent: Thursday, September 8, 2022 12:28 PM

> To: Jamie Arnold <jamie.arnold@templejc.edu>

> Subject: Re: Tenure

>

> Do you know if I'll be updated as my tenure packet moves from John to the others?

>

> Best regards,
>
>
>
> Michael W. Cotten, M.A.
> Assistant Professor of History
> Department of Social Sciences
> Taylor Campus
> Temple College
>
> "The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken
>
> "A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."
> Booker T. Washington
>
>> On May 4, 2022, at 10:23, Jamie Arnold <jamie.arnold@templejc.edu> wrote:
>>
> ***Confidentiality Notice: This electronic mail transmission, including any accompanying attachments, is intended solely for its authorized recipient(s). If you are not the intended recipient, please be aware that any disclosure, copying, distribution or use of the contents of this message is strictly prohibited. If you received this transmission in error, immediately contact the sender and delete the contents and attachments of this message***
>

Re: Tenure

Michael Cotten <michael.cotten@templejc.edu>

Thu 1/5/2023 6:10 PM

To: Christy Ponce <christy.ponce@templejc.edu>

Yes ma'am. Thank you for letting me know.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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Booker T. Washington

On Jan 5, 2023, at 18:09, Christy Ponce <christy.ponce@templejc.edu> wrote:

Your department chair and division director will be scheduling a meeting with you next week to discuss the reservations.

Christy

Christy Ponce, Ph.D.
President
Temple College
2600 S. 1st Street
(254) 298-8600 Office
www.templejc.edu

[<image001.png>](#)

From: Michael Cotten <michael.cotten@templejc.edu>

Date: Thursday, January 5, 2023 at 5:57 PM

To: Christy Ponce <christy.ponce@templejc.edu>

Subject: Re: Tenure

May I ask what the reservations were in regard to so that I may know what it is that I have been deemed unsatisfactory in?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Menken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."

Booker T. Washington

On Jan 5, 2023, at 17:55, Christy Ponce <christy.ponce@templejc.edu> wrote:

Professor Cotten,

There were some reservations on granting your tenure at this time. Rather than making a final determination, your department and division have asked for an extension to evaluate your performance over the next few months.

Christy

Christy Ponce, Ph.D.
President
Temple College
2600 S. 1st Street
(254) 298-8600 Office
www.templejc.edu

<image001.png>

From: Michael Cotten <michael.cotten@templejc.edu>
Date: Thursday, January 5, 2023 at 1:08 PM
To: Christy Ponce <christy.ponce@templejc.edu>
Subject: Fwd: Tenure

I was wondering if you had received my tenure packet. If I understand the tenure policy I was under the impression my packet was supposed to make it to your office and a final recommendation (approved for tenure or otherwsie) to the Board, and an email to me with the recommendation, was to be make by the end of the fall semester.

Though I am confident that a positive recommendation will be made I am concerned that my tenure packet may not have may it your desk in a timely manner.

I appreciate your assistance in determining where we are in the process.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

“The urge to save humanity is almost always a false front for the urge to rule” H.L. Mencken

“A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority.”

Booker T. Washington

Begin forwarded message:

From: Jamie Arnold <jamie.arnold@templejc.edu>
Date: January 5, 2023 at 09:52:07 CST
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: RE: Tenure

Michael,

I am so sorry, but I have not heard anything either. I am hoping you will hear something very soon.

Sincerely,

Jamie Arnold, PhD, LPC

Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Thursday, January 5, 2023 8:32 AM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Re: Tenure

Good morning. I'm guessing you haven't heard anything back about my tenure status.

I don't mean to be a pain, and I know this isn't your fault. I will confess that I find it a bit irritating that the college develops a tenure policy/procedure and if faculty doesn't follow it it could be career ending but if the college doesn't stick to it faculty is just stuck in limbo. I think we both know the tenure policy isn't the only policy where this is the case.

Sorry to rant. I appreciate your listening and your efforts to get some answers for me.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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does not become good just because it is accepted by a majority.”
Booker T. Washington

On Jan 3, 2023, at 09:23, Michael Cotten
<michael.cotten@templejc.edu> wrote:

Thank you. I appreciate that.

I’m not worried about it but I don’t want to slip between the cracks, and since the procedure stated that I should have already been informed I fear that may be what has happened.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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Booker T. Washington

On Jan 3, 2023, at 09:14, Jamie Arnold
<jamie.arnold@templejc.edu> wrote:

Michael,

I have not heard anything, but I will contact Susan to see if I can get more information.

Sincerely,

Jamie Arnold, Ph.D, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten
<michael.cotten@templejc.edu>
Sent: Monday, December 19, 2022 6:20 AM
To: Jamie Arnold
<jamie.arnold@templejc.edu>
Subject: Re: Tenure

Good morning. Sorry to bother you between semesters but have you heard anything regarding my tenure status? I did not receive an email from Dr. Ponce stating that I have been recommended for tenure, or not recommended for tenure. Based on my reading of the tenure instructions I was supposed to have received that email by the end of the fall semester.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Jamie Arnold
<jamie.arnold@templejc.edu>
Sent: Monday, December 5, 2022 3:24 PM
To: Michael Cotten
<michael.cotten@templejc.edu>
Subject: RE: Tenure

I am still fairly new at this, but I believe it will come from Dr. Ponce in the form of an email. Let me check to find out.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

-----Original Message-----
From: Michael Cotten

<michael.cotten@templejc.edu>
Sent: Monday, December 5, 2022 3:19 PM
To: Jamie Arnold
<jamie.arnold@templejc.edu>
Subject: Tenure

If I remember correctly when I was reading the instructions I believe it said I would be noticed by the end of the fall semester whether I would be granted tenure or not. Do you know who that notification will come from?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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H.L. Mencken

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Booker T. Washington

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RE: Meeting

Jamie Arnold <jamie.arnold@templejc.edu>

Fri 1/13/2023 6:41 AM

To: Michael Cotten <michael.cotten@templejc.edu>; John Stevens <john.stevens@templejc.edu>

Michael,

I felt it was very positive as well, and I appreciated your receptiveness to what we had to say.

Have a terrific semester. Always feel free to contact me if you have any questions or concerns.

Sincerely,

Jamie Arnold, PhD, LPC

Social Sciences I Department Chair

Professor of Psychology

Temple College

2600 South First Street

Temple, Texas 76504-7435

(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>

Sent: Wednesday, January 11, 2023 4:28 PM

To: Jamie Arnold <jamie.arnold@templejc.edu>; John Stevens <john.stevens@templejc.edu>

Subject: Re: Meeting

I wanted to take a moment to thank you both for meeting with me this morning in regards to my tenure status and future with Temple College. I also appreciate the kind words spoken in regards to my teaching overall. I think the meeting was very positive and it seemed to go a long way towards addressing the reservations regarding granting me tenure. I am looking forward to a wonderful semester and hearing Dr. Ponce's thoughts regarding my tenure status in the coming months.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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"A lie does not become truth, wrong does not become right, and evil does not become good just because it is

accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Jamie Arnold <jamie.arnold@templejc.edu>
Sent: Friday, January 6, 2023 9:49 AM
To: Michael Cotten <michael.cotten@templejc.edu>
Cc: John Stevens <john.stevens@templejc.edu>
Subject: Meeting

Good morning, Michael,

We would like to meet with you next Wednesday at 10 am in John's office to discuss Dr. Ponce's decision.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

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Re: Fall Schedule

Michael Cotten <michael.cotten@templejc.edu>

Thu 2/23/2023 10:01 AM

To: Jamie Arnold <jamie.arnold@templejc.edu>

Thank you. I plan on it as well.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

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Booker T. Washington

On Feb 23, 2023, at 10:01, Jamie Arnold <jamie.arnold@templejc.edu> wrote:

I plan on you teaching for us next year.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Wednesday, February 22, 2023 2:49 PM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Re: Fall Schedule

I don't mind teaching it I just wasn't sure if I was counting correctly. If they will approve me to teach an eighth section I will happily do so.

Does that mean it's safe to say that non-renewal isn't one of the three options being considered?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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Booker T. Washington

On Feb 22, 2023, at 14:46, Jamie Arnold <jamie.arnold@templejc.edu> wrote:

I have you scheduled for two sections of HIST 1302 the first eight weeks, but I can assign it to Gene if you think it will be too much. I know you lost an overload unexpectedly this semester and wanted to take that into account when creating the schedule.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Wednesday, February 22, 2023 2:28 PM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Re: Fall Schedule

Looking back at the fall schedule is that supposed to be one 1st 8 week section and one 2nd 8 week section online?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Jamie Arnold <jamie.arnold@templejc.edu>
Sent: Wednesday, February 22, 2023 12:33 PM
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: Fall Schedule

Michael,

I have you scheduled for the following courses for the fall:

HIST 1301	MW 1 pm-2:15 pm	EWCH-Taylor
HIST 1301	TTH 8 am-9:15 am	EWHC-Taylor
HIST 1301	T TH 9:30-10:45 am	Taylor
HIST 1301	TTH 1 pm-2:15 pm	EWCH-Taylor
HIST 1301	TTH 3:30-4:45 pm	EHUT

First 8 Weeks:

HIST 1302

INTERNET

HIST 1302

INTERNET

Cotten

Michael Cotten

Michael

2nd 8 Weeks:

HIST 1302

INTERNET

Please let me know if you have any questions or concerns. Have a great week!

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

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RE: [External Sender]HIST 1302 for Spring 2023

Jamie Arnold <jamie.arnold@templejc.edu>

Thu 3/2/2023 3:06 PM

To: Michael Cotten <michael.cotten@templejc.edu>

You are on the summer and fall schedule, so you can plan on a contract next year. I believe Dr. Ponce's email indicated an extension of several months, but let me see what I can find out.

Sincerely,

Jamie Arnold, PhD, LPC

Social Sciences I Department Chair

Professor of Psychology

Temple College

2600 South First Street

Temple, Texas 76504-7435

(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>

Sent: Wednesday, March 1, 2023 5:02 PM

To: Jamie Arnold <jamie.arnold@templejc.edu>

Subject: Re: [External Sender]HIST 1302 for Spring 2023

I wanted to follow up on our earlier conversation in regard to my future with the college. I know that you notified me that I would not receive an answer regarding Dr. Ponce's decision until the end of the semester. Yet, I hope you can appreciate the difficulty such late notice places on not only me, but also my family. Based upon my review of college policy, I was supposed to receive an answer as to whether I would be granted tenure, placed on a one-year extension, or would be non-renewed by the end of the 9th semester (which was December 2022).

Still not knowing the outcome at the first of March is unnerving to say the least. I have no way to prepare for the future this way and by not knowing until the end of this semester leaves essentially no time to prepare. If you could give me some clarification as to the decision that has been made I would certainly appreciate it.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Jamie Arnold <jamie.arnold@templejc.edu>
Sent: Thursday, February 16, 2023 4:19 PM
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: RE: [External Sender]HIST 1302 for Spring 2023

Hello Michael,

I am sorry it took some time for me to get back to you about this. You should have a decision by the end of this semester.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Monday, February 13, 2023 7:46 AM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Re: [External Sender]HIST 1302 for Spring 2023

Although I personally am not a fan of a participation grade I can see why they are doing it. Given the national trends I won't be surprised if the attendance policy is changed and does not return to the way it had been previously. Many colleges are dropping it entirely.

On an unrelated note have you heard anything about Dr Ponce's decision or a timeline of when a decision will be made or shared with me? The not knowing even a timeline of a decision is more than a bit unnerving.

I am assuming my tenure packet is in Dr. Ponce's possession still. Is that your understanding as well?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History

Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."
Booker T. Washington

On Feb 13, 2023, at 07:40, Jamie Arnold <jamie.arnold@templejc.edu> wrote:

I hope this will not become an issue. I know some faculty are integrating in-class participation and/or quizzes as part of the grade to encourage attendance while the policy has been suspended.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Monday, February 13, 2023 7:35 AM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Re: [External Sender]HIST 1302 for Spring 2023

Yes that is what I was thinking as well. Thankfully the student seems to be doing well despite not coming to class.

Hopefully this won't become a wider issue.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences

Taylor Campus
Temple College

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Booker T. Washington

On Feb 13, 2023, at 07:28, Jamie Arnold <jamie.arnold@templejc.edu> wrote:

Michael,

I understand your frustration, but we actually do have several 16-week online sections to accommodate dual credit students. My understanding is that since we have suspended the attendance policy, we cannot drop students unless it is mathematically impossible for them to pass.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Saturday, February 11, 2023 8:55 AM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Fwd: [External Sender]HIST 1302 for Spring 2023

The student below has not attended at all in person but is doing the work, and so far is doing the work well. This is the first reply to an email of mine I have received.

Since we are not dropping students for lack of attendance will we make the exception even though all real online classes are done as 8 week classes?

I know it would be in the best interest of the student and I am okay with it but is it fair to all the other students who would have liked to have had an online 16 week option but didn't as we don't offer that class format?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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Booker T. Washington

Begin forwarded message:

From: Buentello Katherine <buentellok119@stu.templejc.edu>
Date: February 11, 2023 at 08:42:50 CST
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: Re: [External Sender]HIST 1302 for Spring 2023

Hello, I apologize but I just realized this is an in person class. This whole time I thought it was an online class since my schedule doesn't have a room number I got confused. I was thinking that I just had class work and not an in person class. I'm going to speak with my advisor since I thought this class was online it would fit in my schedule but if it's in person I'm not sure if I could attend.

[Get Outlook for iOS](#)

From: cottenm279@templejc.edu <cottenm279@templejc.edu>
Sent: Saturday, February 11, 2023 8:18:00 AM
Subject: [External Sender]HIST 1302 for Spring 2023

I have noticed that you have not been in class for several classes in a row. Is everything okay? When enrolled in a face to

face class there is an expectation that students come to class unless a documented emergency situation exists and is communicated.

I want to do all I can to help you be successful in class but I cannot help if I do not know what is going on. I would appreciate it if you would reply to this email.

Professor Cotten

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RE: [External Sender]HIST 1302 for Spring 2023

Jamie Arnold <jamie.arnold@templejc.edu>

Fri 3/10/2023 11:00 AM

To: Michael Cotten <michael.cotten@templejc.edu>

Cc: John Stevens <john.stevens@templejc.edu>

Michael,

As you mentioned, the schedule can easily be changed and there are no guarantees. Non-renewal, tenure, and an extension of the probationary period are all being considered.

I forwarded your email to HR and to the administration. I will try to get some resolution as soon as possible.

Sincerely,

Jamie Arnold, PhD, LPC

Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>

Sent: Tuesday, March 7, 2023 11:55 AM

To: Jamie Arnold <jamie.arnold@templejc.edu>

Subject: Re: [External Sender]HIST 1302 for Spring 2023

Thank you for your prompt reply. I appreciate your support and you letting me know that I am on the schedule for the summer and the fall. I know you say I can plan on a contract for next year but Dr. Ponce's last message did not rule out the possibility of a non-renewal. That is most unsettling. It is my understanding that the decision to grant tenure, issue a one-year extension, or issue a non-renewal was supposed to have been given at the end of the 9th semester (December 2022). I still have not been given a definitive answer only that I will receive a definitive answer by the end of this semester (May 2023).

We both know that a name on a schedule can be changed right up until the beginning of the semester so my financial security and my family's future is still uncertain until I am either told for certain that I am being granted tenure in May or that I am being placed on a one-year extension, or non-renewed. As per our meeting on January 11th I did not hear anything mentioned that would warrant a non-renewal or a one-year extension. I would appreciate any additional information you can give me to resolve this as soon as possible.

Best regards,

Michael W. Cotten, M.A.

Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" - H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority." - Booker T. Washington

"I must study politics and war that my sons may have liberty to study mathematics and philosophy. My sons ought to study mathematics and philosophy, geography, natural history, naval architecture, navigation, commerce and agriculture in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." - John Adams

From: Jamie Arnold <jamie.arnold@templejc.edu>
Sent: Thursday, March 2, 2023 3:06 PM
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: RE: [External Sender]HIST 1302 for Spring 2023

You are on the summer and fall schedule, so you can plan on a contract next year. I believe Dr. Ponce's email indicated an extension of several months, but let me see what I can find out.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Wednesday, March 1, 2023 5:02 PM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Re: [External Sender]HIST 1302 for Spring 2023

I wanted to follow up on our earlier conversation in regard to my future with the college. I know that you notified me that I would not receive an answer regarding Dr. Ponce's decision until the end of the semester. Yet, I hope you can appreciate the difficulty such late notice places on not only me, but also my family. Based upon my review of college policy, I was supposed to receive an answer as to whether I would be granted tenure, placed on a one-year extension, or would be non-renewed by the end of the 9th semester (which was December 2022).

Still not knowing the outcome at the first of March is unnerving to say the least. I have no way to prepare for the future this way and by not knowing until the end of this semester leaves essentially no time to prepare. If you could give me some clarification as to the decision that has been made I would certainly appreciate it.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

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From: Jamie Arnold <jamie.arnold@templejc.edu>
Sent: Thursday, February 16, 2023 4:19 PM
To: Michael Cotten <michael.cotten@templejc.edu>
Subject: RE: [External Sender]HIST 1302 for Spring 2023

Hello Michael,

I am sorry it took some time for me to get back to you about this. You should have a decision by the end of this semester.

Sincerely,

Jamie Arnold, PhD, LPC
Social Sciences I Department Chair
Professor of Psychology
Temple College
2600 South First Street
Temple, Texas 76504-7435
(254) 298-8402

From: Michael Cotten <michael.cotten@templejc.edu>
Sent: Monday, February 13, 2023 7:46 AM
To: Jamie Arnold <jamie.arnold@templejc.edu>
Subject: Re: [External Sender]HIST 1302 for Spring 2023

Although I personally am not a fan of a participation grade I can see why they are doing it. Given the national

trends I won't be surprised if the attendance policy is changed and does not return to the way it had been previously. Many colleges are dropping it entirely.

On an unrelated note have you heard anything about Dr Ponce's decision or a timeline of when a decision will be made or shared with me? The not knowing even a timeline of a decision is more than a bit unnerving.

I am assuming my tenure packet is in Dr. Ponce's possession still. Is that your understanding as well?

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Department of Social Sciences
Taylor Campus
Temple College

"The urge to save humanity is almost always a false front for the urge to rule" H.L. Mencken

"A lie does not become truth, wrong does not become right, and evil does not become good just because it is accepted by a majority."
Booker T. Washington

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
	§
VS.	§ Case No. 24-230
	§
TEMPLE COLLEGE, CHRISTINA	§
PONCE, IN HER OFFICIAL CAPACITY,	§
JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 10

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

Re: Compliment from Mr. Roth at Legacy regarding US History STAAR scores

Cotten Michael <cottenm279@templejc.edu>

Thu 6/6/2019 10:34 AM

To: Hortenstine Christy <hortenstinec308@templejc.edu>

Thank you for sharing that. That is very good news to hear. I am glad they did well. Now to see if we can boost those numbers higher.

Best regards,

Michael W. Cotten, M.A.
Assistant Professor of History
Social Sciences
Taylor Campus
Temple College

"Facts are stubborn things; and whatever may be our wishes, our inclinations, or the dictates of our passion, they cannot alter the state of facts and evidence". John Adams

On Jun 6, 2019, at 10:29, Hortenstine Christy <hortenstinec308@templejc.edu> wrote:

Good morning!

Mr. Roth, Legacy Early College High School Principal, came by this morning and wanted to express his gratitude to Mr. Michael Cotten on preparing his students so well for the US History STAAR exam. 100 percent of their juniors passed the exam; 84% met expectations and 54% mastered the subject.

Thank you, Mr. Cotten, for your hard work and dedication to our students!

Christy Hortenstine

Coordinator, Student Enrollment Services
EWCHEC Taylor Campus
P: 512-352-2688 or 254-298-8948
F: 512-352-5849
christy@templejc.edu

<image001.jpg> <image002.png>

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JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 11

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
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Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

Senior Year/ Life Update

[REDACTED] <[REDACTED]@stu.templejc.edu>

Mon 5/1/2023 9:57 AM

To: Michael Cotten <michael.cotten@templejc.edu>

Good morning Professor Cotten,

I will be graduating from Temple College next weekend, and I did not want to leave TC without contacting you.

-I have received the Terry Scholarship for Texas State University. The Terry Scholarship is a full ride 4-year scholarship! I will be double majoring in Public and Spanish with a minor in Political Science. I will also be part of the Texas State University Honors College.

-I'm very thankful for having you in my first year TC because your class really showed me that I can accomplish and be successful anything I set my mind to.

Sincerely, [REDACTED]

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
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JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 12

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
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Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

Michael Cotten Meeting

On January 11, 2023 at 10 am, John Stevens and Jamie Arnold met with Professor Michael Cotten to discuss the reservations the committee had regarding his tenure. The meeting began by acknowledging the positive contributions he has made to the college, including his high level of reliability and commitment, as well as his ability to teach content well.

One of the main concerns expressed were related to practices that may undermine student success. Last semester there was a high drop rate for dual credit students in Taylor. We discussed his classes being needlessly more difficult than necessary, causing students to feel frustrated and overwhelmed.

We also discussed his interactions with both staff and students, many of whom have reported a condescending, unsympathetic, and combative tone.

Professor Cotten received the criticism with a spirit of humility and cooperation. He offered changes he plans to make regarding the structure of his classes and his communication with members of the Temple College community. He expressed a strong desire to improve to restore the trust and confidence of the administration, and to reduce any reservations one might have regarding tenure.

Moving forward, we agreed to continue the evaluation process and will revisit the possibility of tenure and renewal of his contract in the coming months.

IN THE UNITED STATES DISTRICT COURT
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JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 13

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
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david@sergilaw.com
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COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN



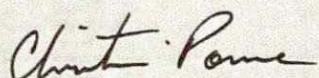
Mr. Michael Cotten
661 Lakeview Dr
Killeen TX 76542-4352

April 6, 2023

Mr. Cotten,

Your contract will not be renewed for the 2023-2024 Academic Year. Provided you complete your duties through May 13, 2023, you will continue to receive your normal pay and benefits through August 31, 2023. I wish you the best in your future endeavors.

Sincerely,



Dr. Christina Ponce
President

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

MICHAEL W. COTTEN	§
<i>Plaintiff</i>	§
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JOHN STEVENS, IN HIS OFFICIAL	§
CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 14

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
State Bar No: 18036000
david@sergilaw.com
Jessica L. Cousineau
OSB No. 012374
jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN



MEMORANDUM

DATE: March 23, 2023

TO: Human Resources

FROM: Jamie Arnold, Department Chair, Social Sciences I
John Stevens, Division Chair, Liberal Arts

SUBJECT: Michael Cotten Non-Renewal of Contract

There have been multiple complaints about Professor Cotten's judgment. He has exhibited a condescending tone and disrespect to both students and staff. Concerns have also been raised about an excessively high number of students withdrawing from his classes, especially dual credit. In January he agreed to an extension of several months to allow time for further review. However, he has sent several emails since then demanding a quicker resolution without exhibiting significant improvement.

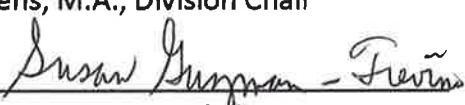
For these reasons, we do not recommend tenure or renewal of his contract.



Jamie Arnold, Ph.D., Department Chair

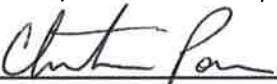


John Stevens, M.A., Division Chair



Susan Guzman-Trevino, Ph.D.

Provost/Vice President, Academic Affairs



Christy Ponce, Ph.D., President

Date: Monday, February 1, 2021 at 2:50 PM

To: Christina Ponce <christina.ponce@templejc.edu>

Subject: Racial Complaint

Dear Christina Ponce,

I wanted to inform you that one of the TC professors was racially degrading, and also pushes his beliefs through his teaching methods. I have already dropped this class due to the professor himself, but I am wanting you to be aware of the influencer you have representing Temple College.

While talking about Westward expansion in class today with professor Cotten I responded to his question with “Indigenous people.”

To which he ranted, “even though ‘indigenous’ is politically correct, they were not actually ‘indigenous’ because they came from somewhere else so they are not actually native. So even though that was correct it was wrong.”

A professor who gets triggered this easily over verbiage, to the point of partial credit, regardless, of grade credit or reading credit, should be evaluated on moral integrity to teach rather than push their own agenda of events or political views. This is the most severe incident throughout the three weeks we have been in class; however, there have been other issues that are similar in nature. Professor Cotten also criticized other history professors for not ending their lectures/teachings in 2000s world history, and fumes about irrelevant topics such as his wife’s Apple Watch that she “apparently never uses but had to have.”

This is not acceptable nor is it constructive to any classroom. Thank you for your time.

Sincerely,

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

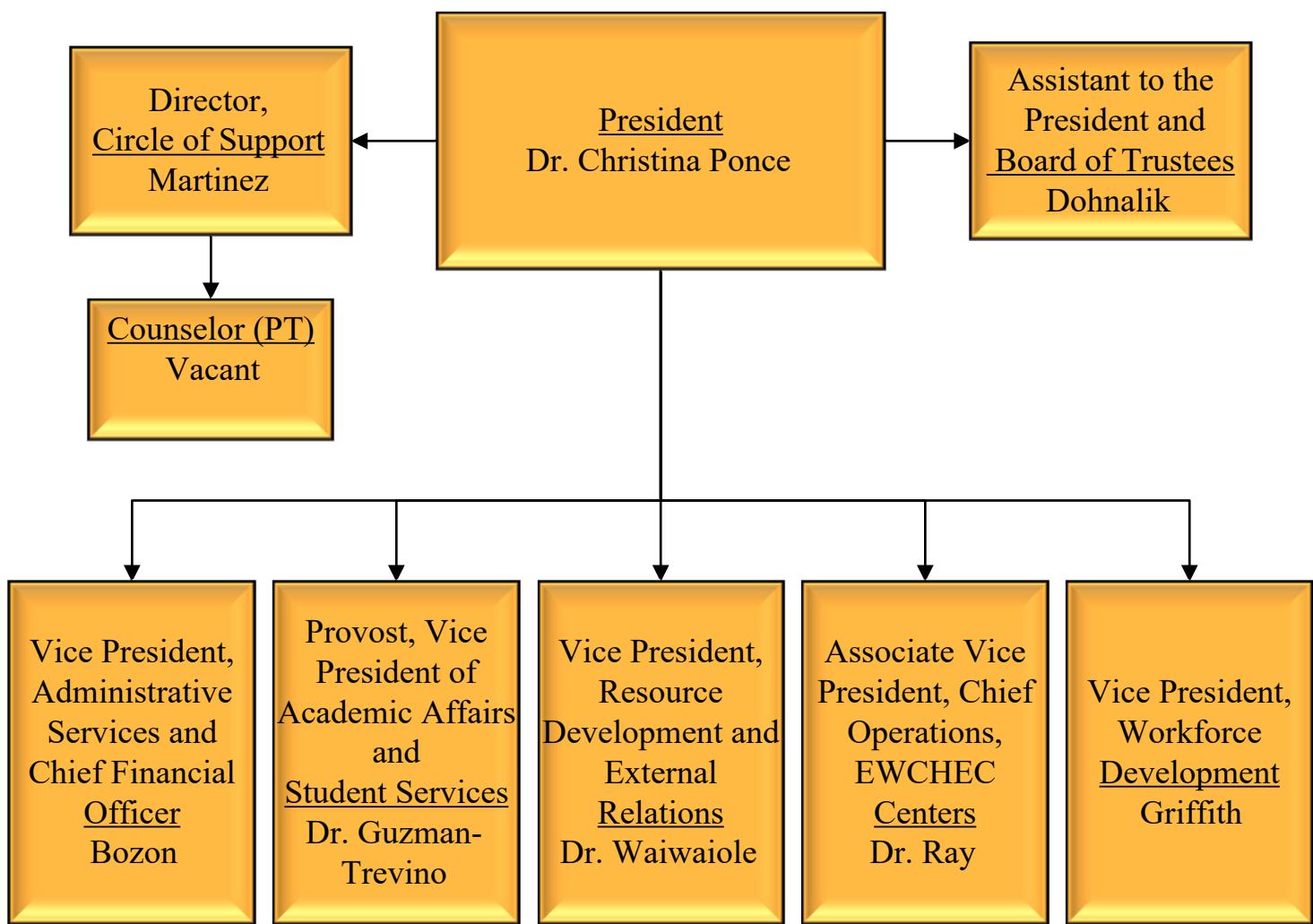
MICHAEL W. COTTEN	§
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CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 15

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
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329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN

President's Office



IN THE UNITED STATES DISTRICT COURT
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CAPACITY, and JAMIE ARNOLD, IN	§
HER OFFICIAL CAPACITY,	§
<i>Defendant</i>	§

PLAINTIFF'S EXHIBIT 16

Respectfully submitted,
DAVID K. SERGI AND ASSOCIATES, P.C.

By: /s/ David K. Sergi
David K. Sergi—Attorney in Charge
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david@sergilaw.com
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jessica@sergilaw.com
329 S Guadalupe Street
San Marcos, TX 78666
Phone: (512) 392-5010
Fax: (512) 392-5042
COUNSEL FOR PLAINTIFF, MICHAEL
COTTEN



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

San Antonio Field Office
5410 Fredericksburg Road, Suite 200
San Antonio, TX 78229
(210) 640-7530
Website: www.eeoc.gov

DETERMINATION AND NOTICE OF RIGHTS

(This Notice replaces EEOC FORMS 161, 161-A & 161-B)

Issued On: 02/02/2024

To: Mr. Michael W. Cotten
661 Lakeview Dr.
Killeen, TX 76542

Charge No: 451-2024-01561

EEOC Representative and email: Eduardo Perez
Federal Investigator
eduardo.perez@eeoc.gov

DETERMINATION OF CHARGE

The EEOC issues the following determination: The EEOC will not proceed further with its investigation and makes no determination about whether further investigation would establish violations of the statute. This does not mean the claims have no merit. This determination does not certify that the respondent is in compliance with the statutes. The EEOC makes no finding as to the merits of any other issues that might be construed as having been raised by this charge.

NOTICE OF YOUR RIGHT TO SUE

This is official notice from the EEOC of the dismissal of your charge and of your right to sue. If you choose to file a lawsuit against the respondent(s) on this charge under federal law in federal or state court, **your lawsuit must be filed WITHIN 90 DAYS of your receipt of this notice**. Receipt generally occurs on the date that you (or your representative) view this document. You should keep a record of the date you received this notice. Your right to sue based on this charge will be lost if you do not file a lawsuit in court within 90 days. (The time limit for filing a lawsuit based on a claim under state law may be different.)

If you file a lawsuit based on this charge, please sign in to the EEOC Public Portal and upload the court complaint to charge 451-2024-01561.

On behalf of the Commission,


For _____
Norma J. Guzman
Field Director

Cc:

Temple College
516 N. Main St.
Taylor, TX 76574
Monica.lefner@templejc.edu

Jessica L Cousineau
David K Sergi & Associates
329 S Guadalupe St
San Marcos, TX 78666
Jessica@sergilaw.com

Please retain this notice for your records.

Enclosure with EEOC Notice of Closure and Rights (01/22)

INFORMATION RELATED TO FILING SUIT UNDER THE LAWS ENFORCED BY THE EEOC

*(This information relates to filing suit in Federal or State court **under Federal law**. If you also plan to sue claiming violations of State law, please be aware that time limits may be shorter and other provisions of State law may be different than those described below.)*

IMPORTANT TIME LIMITS – 90 DAYS TO FILE A LAWSUIT

If you choose to file a lawsuit against the respondent(s) named in the charge of discrimination, you must file a complaint in court **within 90 days of the date you receive this Notice**. Receipt generally means the date when you (or your representative) opened this email or mail. You should **keep a record of the date you received this notice**. Once this 90-day period has passed, your right to sue based on the charge referred to in this Notice will be lost. If you intend to consult an attorney, you should do so promptly. Give your attorney a copy of this Notice, and the record of your receiving it (email or envelope).

If your lawsuit includes a claim under the Equal Pay Act (EPA), you must file your complaint in court within 2 years (3 years for willful violations) of the date you did not receive equal pay. This time limit for filing an EPA lawsuit is separate from the 90-day filing period under Title VII, the ADA, GINA, the ADEA, or the PWFA referred to above. Therefore, if you also plan to sue under Title VII, the ADA, GINA, the ADEA or the PWFA, in addition to suing on the EPA claim, your lawsuit must be filed within 90 days of this Notice and within the 2- or 3-year EPA period.

Your lawsuit may be filed in U.S. District Court or a State court of competent jurisdiction. Whether you file in Federal or State court is a matter for you to decide after talking to your attorney. You must file a "complaint" that contains a short statement of the facts of your case which shows that you are entitled to relief. Filing this Notice is not enough. For more information about filing a lawsuit, go to <https://www.eeoc.gov/employees/lawsuit.cfm>.

ATTORNEY REPRESENTATION

For information about locating an attorney to represent you, go to:
<https://www.eeoc.gov/employees/lawsuit.cfm>.

In very limited circumstances, a U.S. District Court may appoint an attorney to represent individuals who demonstrate that they are financially unable to afford an attorney.

HOW TO REQUEST YOUR CHARGE FILE AND 90-DAY TIME LIMIT FOR REQUESTS

There are two ways to request a charge file: 1) a Freedom of Information Act (FOIA) request or 2) a "Section 83" request. You may request your charge file under either or both procedures. EEOC can generally respond to Section 83 requests more promptly than FOIA requests.

Since a lawsuit must be filed within 90 days of this notice, please submit your FOIA and/or Section 83 request for the charge file promptly to allow sufficient time for EEOC to respond and for your review.

To make a FOIA request for your charge file, submit your request online at <https://eeoc.arkcase.com/foia/portal/login> (this is the preferred method). You may also submit a FOIA request for your charge file by U.S. Mail by submitting a signed, written request

Enclosure with EEOC Notice of Closure and Rights (01/22)

identifying your request as a "FOIA Request" for Charge Number 451-2024-01561 to the Field Director at: Norma J. Guzman, 5410 Fredericksburg Road, Suite 200, San Antonio, TX 78229.

To make a Section 83 request for your charge file, submit a signed written request stating it is a "Section 83 Request" for Charge Number 451-2024-01561 to the Field Director at: Norma J. Guzman, 5410 Fredericksburg Road, Suite 200, San Antonio, TX 78229.

You may request the charge file up to 90 days after receiving this Notice of Right to Sue. After the 90 days have passed, you may request the charge file only if you have filed a lawsuit in court and provide a copy of the court complaint to EEOC.

For more information on submitting FOIA requests, go to
<https://www.eeoc.gov/eeoc/foia/index.cfm>.

For more information on submitted Section 83 requests, go to <https://www.eeoc.gov/foia/section-83-disclosure-information-charge-files>.